

REMARKS

Claims 1-19 are pending in this application. By this Amendment, claims 17-19 are new.

I. Claim Rejections Under 35 U.S.C. §103

Claims 1, 2, 7-9, 12 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent No. 2001-100508 to Yoshinori (hereinafter "Yoshinori") in view of U.S. Patent No. 5,040,031 to Hayashi (hereinafter "Hayashi"). Specifically, the Office Action asserts that Yoshinori teaches performing a calculation on the developer remaining amount after warm-up. The Office Action acknowledges that Yoshinori does not discuss a display means, which is normally conventional on an image forming device. The Office Action goes on to assert that Hayashi teaches a display. Additionally, the Office Action asserts it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the teaching of Hayashi with the image forming device of Yoshinori since it teaches a conventional display means for a conventional image forming device. We respectfully traverse the rejections.

Yoshinori does not disclose that the detection of the amount of residual toner is determined during "a warm-up operation." Instead, Yoshinori discloses a device that detects an amount of residual toner in a storing chamber using a detection signal. Furthermore, Yoshinori discloses that the device determines that the detection of a decrease in toner is an error when the detection is made during a period in which the detection signal cannot be outputted.

Neither Yoshinori nor Hayashi disclose "a controller that performs a calculation based on the remaining developer amount detected by the developer amount detector and on the data stored in the memory." Furthermore, neither Yoshinori nor Hayashi disclose, teach, or suggest that when the image forming device remains inactive for a long period of time and

toner is compacted in a toner compartment, the amount of toner in the toner compartment can be accurately determined, such as the present invention.

Based on the arguments presented above, independent claim 1 is in condition for allowance. Additionally, dependent claims 2-15 and 17-19 depend either directly, or indirectly, from independent claim 1. Therefore, the dependent claims are also in condition for allowance. It is respectfully requested that the Examiner reconsider and withdraw the rejections.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2, 7-9, 12, 15 and 17-19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

Date: December 8, 2005

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